

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/23/2020
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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 WALLEYE TRADING LLC, *individually and on* :  
*behalf of all others similarly situated,* :

Plaintiff, :

-against- :

MINDBODY, INC., RICHARD L. :  
 STOLLMAYER, AND BRETT WHITE, :

Defendants. :  
 -----X

19-CV-8331 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS Defendants requested to bifurcate discovery into class certification and merits phases and Plaintiffs objected, Dkt. 57; and

WHEREAS on October 23, 2020, the parties appeared for a telephone conference;

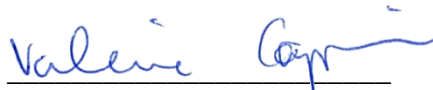
IT IS HEREBY ORDERED that for the reasons stated at the conference, Defendants' request to bifurcate discovery is DENIED.

IT IS FURTHER ORDERED that, by no later than **Friday, October 30, 2020**, the parties must meet and confer and jointly propose a case management plan that includes proposed deadlines for discovery and a motion for class certification. Upon receipt of the parties' joint proposal, the Court will decide whether to schedule an additional telephone conference.

IT IS FURTHER ORDERED that if, at any time, both parties want a settlement conference with the assigned Magistrate Judge, they may submit a joint letter requesting a referral.

**SO ORDERED.**

**Date: October 23, 2020**  
**New York, New York**

  
**VALERIE CAPRONI**  
**United States District Judge**